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January 7, 2008

## VIA ELECTRONIC CASE FILING

Judge Ramon E. Reyes, Jr. United States Courthouse 225 Cadman Plaza East, Room 263 Brooklyn, New York 11201

Re:

Civil Action No.: 07-2433

Anand Dasrath v. Ross University School of Medicine

Dear Judge Reyes:

This firm represents the defendant Ross University School of Medicine ("Ross University"). I write to address the motion filed by order to show cause in which plaintiff's counsel seeks to be relieved. Ross University takes no position on counsel's motion.

Ross University would, however, like to point out the following regarding the representation of Mr. Dasrath. Mr. Dasrath commenced an action in the Supreme Court of New York, Queens County, in or about August 2006 alleging breach of contract based on the same set of facts that form the basis of this action. During those proceedings Mr. Dasrath's first lawyer was replaced by another lawyer who after various adjournments and delays finally responded to Ross University's motion to dismiss. The case was dismissed on jurisdictional grounds. A third lawyer representing Mr. Dasrath filed a notice of appeal but failed to perfect the same despite this office's appearances at conferences with the appellate court. Mr. Dasrath then retained Mr. Zelenitz, his fourth lawyer, and shortly thereafter this federal action ensued. As you are aware, Ross University has been granted permission and has served its motion to dismiss pursuant to the Court's briefing schedule. However, no opposition was submitted presumably in light of counsel's motion. We respectfully request, given the inordinate amount of time and expense Ross University has invested as a result of the various evolutions of this

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case, and the various attorneys handling the matter on behalf of Mr. Dasrath, that new dates in as short of a timeframe as possible for plaintiff to submit his opposition and for Ross University to submit its reply be issued along with any decision on counsel's motion.

Your consideration of this matter is greatly appreciated.

Respectfully,

Jennifer A. McLaughlin (JM 5678)

JAM: cat

cc:

via ECF and Regular Mail Bradley M. Zelenitz, Esq.